

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JERRY DAVID NANCE

PLAINTIFF

VS.

CIVIL ACTION NO. 4:05cv105LR

**PEAVEY ELECTRONICS CORPORATION, and
FREEMAN DECORATING SERVICES, INC.**

DEFENDANTS

PEAVEY ELECTRONICS CORPORATION

COUNTER-CLAIMANT

VS.

JERRY DAVID DANCE

COUNTER-DEFENDANT

ORDER

This case came before the court on the Plaintiff's Counsel's Motion to Stay Deadlines. The Motion is based on the recent Order permitting the Plaintiff's attorney to withdraw from representation, contingent upon so notifying his client. Apparently, counsel has been unable to deliver that Order due to the Plaintiff's employment-related absence from home. Because Plaintiff has no counsel, and has likely not made arrangements for representation in this matter, it is clear that he will not be in a position to participate in the pretrial conference scheduled for September 11, 2006. Rather than indefinitely stay the case, however, as requested by his current attorney, the court will move this case to the next trial calendar.

The time within which the Plaintiff must notify the court as to his representation will be extended to September 8, 2006. Failure to contact the court by that date may result in a recommendation that this matter be dismissed. The Plaintiff is further advised that he has a responsibility as a litigant to remain in contact with the court. Future inability to reach him

may be construed as a lack of interest in this matter and could also result in a recommendation that this matter be dismissed.

IT IS, THEREFORE, ORDERED that Plaintiff's Counsel's Motion to Stay Deadlines is hereby **granted**, and the Case Management Plan Order previously entered in this matter is hereby amended, as follows:

1. The trial of this matter will be held on the trial calendar that begins on January 1, 2007, and ends on January 12, 2007.
2. The pretrial conference will be held on December 11, 2006.
3. Discovery shall be completed by September 15, 2006.
4. The deadline for submitting motions, other than motions *in limine*, is September 30, 2006.

IT IS FURTHER ORDERED that the Plaintiff has until September 8, 2006, to notify the court that he has obtained new counsel or will represent himself in this matter.

IT IS SO ORDERED, this the 16th day of August, 2006.

John M. Roper

UNITED STATES MAGISTRATE JUDGE